

REMARKS

This is responsive to the Office Action mailed on July 14, 2008.

In the Office Action, the claims were rejected on the ground of a nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 and 6 of U.S. Patent Number 6,682,679.

Applicant respectfully believes that this rejection is in error. This application is a divisional application of U.S. Patent Number 6,682,679. The claims in this application were claims that were withdrawn in application number 09/593,594 (which resulted in U.S. Patent Number 6,682,679) due to a Restriction Requirement. The claims in this application are consonant with the restricted claims.


MPEP 804.01 prohibits a double patenting rejection on a divisional application as the result of restriction that was made in the prior pending application.

In view of the above, it is respectfully requested that the rejection of claims 1, 4, 6, 7 9, 10, 41-47 and 49 be withdrawn and the claims be allowed and a Notice of Allowance be issued.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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